

REMARKS

The present application was filed on July 28, 2003 with claims 1-20. Claims 1, 8 and 9 were subsequently canceled. In an Appeal Brief filed on May 11, 2009, Applicants appealed the final rejection of claims 2-7 and 10-20.

In a Decision on Appeal dated November 23, 2010, the Board of Patent Appeals and Interferences (BPAI) affirmed the rejection of claims 2-4, 10, 13, 14, 16 and 20, but reversed the rejection of claims 5-7, 11, 12, 15 and 17-19 (BPAI Decision on Appeal; page 14).

In this response, claims 2-4, 10, 13, 14 and 16 have been canceled and claims 5, 11, 15 and 17 have been rewritten into independent form, including all of the limitations of the respective base claims and any intervening claims, as suggested by the Examiner. Additionally, claim 20 has been amended to provide proper dependency thereof, as necessitated by the cancellation of claim 16 from which claim 20 was previously dependent. Specifically, claim 20, as amended, depends from claim 17, which was deemed allowable by the BPAI. As set forth in 35 U.S.C. §112, paragraph 4:

[A] claim in dependent form shall contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed. A claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.

Consequently, any claim which depends from an allowed claim is also deemed to be allowable.

In view of the foregoing, Applicants believe that claims 5-7, 11, 12, 15 and 17-20 are in condition for allowance, and such favorable action thereon is respectfully requested.

Respectfully submitted,



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